

(k) *Lecithin capsules* [Formula 129]—the labeling contained representations that lecithin is a valuable addition to the diet, that by providing phospholipids to the body it was an important dietary factor because phospholipids are present in all body tissues; that lecithin, when used to supplement the diet, performs the function of aiding in the utilization and transportation of fat, preventing and removing fatty deposits, solubilizing fat, preventing and eliminating the cholesterol deposits of atherosclerosis, bringing about the proper metabolism of fats, controlling hypercholesteremia, aiding fat digestion, and making the aged feel years younger, which representations were false and misleading since they were contrary to fact;

(1) All articles except *Lecithin capsules* [Formula 129]—the labeling contained statements which, in the setting in which they were presented, represented and suggested:

(i) That practically everyone in this country is suffering from, or is in danger of suffering from, a serious dietary deficiency of vitamins and minerals due to foods being grown on depleted soils, and due to storage, processing, refining, shipping, and cooking of foods, which statements and representations were false and misleading since they are contrary to fact; and

(ii) That Foods Plus, Inc., was the manufacturer of the vitamin and mineral products which they offered for sale, which representations and suggestions were false and misleading since they were contrary to fact.

DISPOSITION: 5-3-60. Consent—claimed by Foods Plus, Inc., New York, N.Y., and relabeled.

6222. Vitamin and mineral capsules. (F.D.C. No. 44434. S. Nos. 6-761 R, 6-765 R.)

QUANTITY: 269 100-capsule btl. at Boston, Mass., in possession of Argentina Rocca Vitamin Co., Div. of NERL, Inc.

SHIPPED: 1-19-60 and 3-9-60, from Newark, N.J.

LABEL IN PART: (Btl.) "Argentina Rocca's Special Super Formula of Vitamins and Minerals 10707 Argentina Rocca Vitamin Co., Boston 15, Mass."

ACCOMPANYING LABELING: Undated form letters in the Spanish language addressed to "Muy amigo mio"; undated form letters in the English language beginning with the words "Dear Friend: Thank you," and "Dear Friend: I have not heard"; and booklets entitled "Argentina Rocca's Personal Exercises for keeping fit!"

RESULTS OF INVESTIGATION: The accompanying labeling was shipped from New York, N.Y., to Boston, Mass., on the order of Argentina Rocca Vitamin Co.

LIBELED: 4-15-60, Dist. Mass.

CHARGE: 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations that the article was adequate and effective for the treatment and prevention of tenseness; irritability; fatigue; nervousness; low resistance; premature aging; infection of mucous membranes of the eyes, nose, mouth, and throat; night blindness; neuritis; loss of muscle tone; digestive upsets; vague aches and pains; mental depression; constipation; dryness of the hair and scalp; inflammation of the mouth and soreness at the corners of the mouth; skin eruptions; nervous disorders; insomnia; anemia with symptoms of tiredness, paleness, poor appetite, lack of energy, and difficulty in breathing; anemia; defective teeth; local hemorrhages of the gums and membranes of the nose and mouth;

muscle weakness; tooth decay; bone disorders; rickets and poor bone and tooth development in children; muscular pain; sterility; failure of pregnancy; muscular and nervous disorders; improper blood clotting; dizziness; indigestion; headaches; burning feet; polyneuritis; conditions resulting from stress; improper functioning of adrenal glands; porous and brittle bones; and poor resistance to colds and other common illnesses; and, in addition, the picture of the athlete, Argentina Rocca; the name of the article; and statements in the aforesaid labeling represented that the consumers of the article would develop a strong, athletic physique similar to that of Argentina Rocca, which representation was false and misleading.

DISPOSITION: 6-13-60. Default—destruction.

6223. Vitamin capsules and vitamin-mineral tablets and capsules. (F.D.C. No. 44414. S. Nos. 23-001/3 R.)

QUANTITY: 4 100-capsule btl. of *Geriatric Formula Plus B₁₂*; 4 100-tablet btl. of *Therapeutic M Vitamin-Mineral Formula*; and 53 250-capsule and 21 100-capsule btl. of *Atkins Daily Ration Multiple Vitamins* at Kansas City, Mo.

SHIPPED: 1-11-60, from Allegan, Mich., by L. Perrigo Co.

LABEL IN PART: (Btl.) "Atkins Geriatric Formula Plus B-12 To Promote Health and Vitality When Vitamins and Minerals are Indicated. Each Capsule Contains: 15 Vitamins 11 Minerals Plus Rutin-Betaine Geriatric formula provides nutritional help often required to overcome that tired feeling when Vitamins and Minerals are required. * * * Frederick Atkins, Inc., New York—Distributors"; "Atkins Therapeutic M Vitamin-Mineral Formula With Vitamin B₁₂ For treatment of deficiencies of essential Vitamins and Minerals * * * Therapeutic-M provides nutritional help in therapeutic dosage where vitamins and minerals are indicated. * * * Frederick Atkins, Inc., New York—Distributors"; and (btl.) "Atkins Daily Ration Multiple Vitamins Each Capsule Supplies Full Daily Requirement of All Essential Vitamins * * * Frederick Atkins, Inc., New York—Distributors."

ACCOMPANYING LABELING: Booklets entitled "Which Vitamins For Whom When" and advertising mat entitled "Health Vitamins Beauty."

RESULTS OF INVESTIGATION: The dealer had received the booklet and advertising mat from Frederick Atkins, Inc., through whom the articles were purchased.

LIBELED: 4-5-60, W. Dist. Mo.

CHARGE: 502(a)—when shipped, the name of the "*Geriatric Formula Plus B-12*" and its labeling contained false and misleading representations that the article was adequate and effective for the treatment and prevention of tiredness; premature aging; energy failure; appetite loss; arthritis; constipation; soft, easily bleeding gums; gingivitis; neuritic pains; skin disorders; dry, scaly, and aging skin; colds; infections; insomnia; digestive upsets; and mental depression; and that the article would effect normal and efficient activity of the intestinal tract; produce a healthy state of the blood vessels and proper disposal of fats; maintain youthful vigor and resistance; supply pep and vigor; produce glowing beauty, energy, and activity; and that the use of vitamin B₁₂ capsules in 10 and 25 microgram potencies would stop pernicious anemia;

502(a)—the labeling of the "*Atkins Daily Ration Multiple Vitamins*" contained false and misleading representations that the article was an adequate and effective treatment for colds; infections; for sturdy, consistent growth of youngsters; to maintain health; for bone and muscle development; to build